

The syllabus can be downloaded [here](#) or you can view it in Canvas below -

EDLD 5309-110 LEGAL ISSUES IN SCHOOL LEADERSHIP

Course Syllabus

SUMMER 2022 SEMESTER

Instructor: Tam Jones, Ed. D.

Associate Professor

Department of Educational Leadership – Texas A&M University-Central Texas

1001 Leadership Place, Killeen, TX 76549

Phone Number: 512.626.4024

E-mail: tam.jones@tamuct.edu

Office Hours: Tuesday-Thursday, 9-4 p.m. or by Appointment.

METHOD OF INSTRUCTIONAL DELIVERY

This course will use an online delivery method through the TAMUCT Canvas Learning Management System (<https://tamuct.instructure.com>).

STUDENT-INSTRUCTOR INTERACTION

All course activities will be completed through the Canvas system. Any changes in the schedule will be announced on the announcement board and/or via email through the Canvas system, so be sure to check the Canvas course site and your class schedule regularly. The instructor is available by email or phone at any time should issues or questions arise. Face-to-face appointments may be scheduled by TAMUCT or Canvas email.

911 Cellular: Emergency Warning System for Texas A&M University-Central Texas

911Cellular is an emergency notification service that gives Texas A&M University-Central Texas the ability to communicate health and safety emergency information quickly via email, text message, and social media. All students are automatically enrolled in 911 Cellular through their myCT email account.

Connect at 911Cellular [<https://portal.publicsafetycloud.net/Texas-AM-Central/alert-management>] to change where you receive your alerts or to opt-out. By staying enrolled in 911Cellular, university officials can quickly pass on safety-related information, regardless of your location.

COURSE INFORMATION

COURSE DESCRIPTION AND RATIONALE

EDLD 5309 Legal Issues in School Leadership provides an overview of the legal issues most likely to be encountered by a school administrator and their implications for educators. The course begins by examining the basic legal framework of school law in Texas by discussing the sources of school law and the roles of the state and federal governments in the establishment and operation of the Texas school system. Following the review of the legal structure of the Texas school system, major topics in education law are presented.

The underlying premise for a course in school law in graduate school is to help professional educators avoid expensive and time-consuming lawsuits by taking effective preventative action. It is the campus administrator who is daily turning a concern, an action, or a misunderstanding through interacting with students, teachers, parents, and the community into either a positive experience for everyone involved or a costly court battle. The well-informed administrator can minimize the possibilities for litigation by (1) having a working knowledge of applicable state/federal laws and district policies (including legal, local, and administrative regulations), (2) anticipating issues that may surface, (3) apply preventative measures, and (4) know when to seek advice from the appropriate central office staff. In most school districts, consultation with the school district attorney is an option that comes only after discussions with central office personnel.

Students will engage in reading, discussion, and research concerning the following topics:

- Constitutional, Statutory, Administrative, and Judicial Sources of Law

- Structure and Governance of the Texas School System
- Foundational/ Enrichment Programs and Accountability/Student Groups
- Special Education and Discipline (Chapter 37)
- Personnel Contracts and Grievances
- Expression and Student Rights
- Religion, Pledge, Prayer, Creation
- Privacy, Open Meetings Act, Drug Testing, Student Search
- Tort and Liability

COURSE OBJECTIVES

Student Learning Outcomes/Competencies

Upon successful completion of this course, the pre-service school leader will be able to:

- Research legal issues related to the public schools.
- Read and comprehend federal and state court cases.
- Analyze and discuss legal concepts related to the public schools.
- Apply legal concepts to the public school setting.
- Critically analyze public school activities for compliance with public school laws.
- Discuss the system of public school governance and its relation to the levels of courts.
- Demonstrate knowledge of students' and teachers' rights guaranteed by the First, Fourth, and Fourteenth Amendments.

Standards for Principal Certificate

Principal preparation programs are required by the State Board for Educator Certification (SBEC) to use the knowledge and skills base developed by SBEC in the development of program curricula and coursework. The six standards are (1) School Culture, (2) Leading Learning, (3) Human Capital (4) Executive Leadership, (5) Strategic Operations, and (6) Ethics, Equity, and Diversity. This course focuses specifically on and provides in-depth learning related to the following Texas standards:

- **CURRENT 19TAC 241.15 All standards with emphasis on B (1, 2, 5) and F (1, 2, 3, 5, 6, 7)** (attached to Canvas Course Information page)
- **NEW 19TAC 241.15 All standards** (attached to Canvas Course Information page)

In addition, the course will address the following state competencies and national standards:

- **TExES Competencies—all competencies** http://cms.texas-ets.org/files/1413/2949/6303/068_principal.pdf
- **Professional Standards for Educational Leaders—all standards** <http://www.ccsso.org/Documents/2015/ProfessionalStandardsforEducationalLeaders2015forNPBEAFINAL.pdf>

REQUIRED READING/TEXTBOOKS/KNOWLEDGE BASE

This course utilizes the principles and concepts associated with initiating legal issues and law related to school leadership. The following are required textbooks. Specific reading assignments are outlined in this syllabus and posted on Canvas.

Required Textbook:

- Walsh, J., Kemerer, F., and Maniotis, L. (2018). *The Educator's Guide to Texas School Law, 9th ed.* Austin, TX: University of Texas Press.

Optional Course Texts:

- Kemerer, F. and Crain, J. (2016). *Texas Documentation Handbook: Appraisal, Nonrenewal, Termination 6th ed.* Austin, TX: Park Place Publications.
- Walsh, Jim. *The Law Dawg's Common Sense Guide to Special Education Law: Ten Steps Toward a More Effective Special Education Program.* 2nd Edition, Austin: Park Place Publications, 2012.
- TEA Parent's Guide to the ARD Process: http://framework.esc18.net/Documents/ARD_Guide_ENG.pdf

COURSE REQUIREMENTS

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1. **Attendance and Canvas Participation (20 Points)** The summer semester is short and intense; therefore attendance, participation, and staying current with the required readings are a must. Students will be present in class and participate in discussion sessions by answering questions, posing questions, making comments, and citing court cases relative to class discussions and assigned reading material. Due dates: weekly as indicated in the course calendar. (assessment: Collaborative Participation Rubric).
2. **Legal brief and presentation activity (20 Points)** Students are required to brief and present a selected court case using the format provided in class. The length is to be 3 to 5 total pages (excluding the title page and references) with the 'Significance' section well developed relating the importance of the case to today's educators. The presentation will be through a slide deck presentation. Due Date: July 23rd (assessment: Class Presentation Rubric).
3. **First Amendment Center Activity (10 Points)** Students should go to the website: firstamendmentcenter.org and find a topic of interest related to first amendment rights that include speech, press, religion, assembly, and petition, and prepare a brief synopsis paper. Of particular interest are articles that focus on issues of church and state or "religion in the public schools." Due Date: June 25th (assessment: Class Participation Rubric).
4. **Interview Activity (20 Points)** Students will interview an individual with responsibility for legal matters in the district with a follow-up report using the format provided. Due July 9th (assessment: Class Presentation Rubric).
5. **Summative Evaluation (20 Points)** Students will perform satisfactorily on a summative assessment (final exam) to be uploaded in Canvas. Due Date: August 6th.
6. **Mentor Consultations/Reflections (10 Points)** Principal mentors are in a pivotal position to guarantee the success of the School Leadership Candidate by providing coaching support in the school setting. One mentor consultation will be facilitated by the student: set agendas, set meeting times and locations, interview principals, and write reflections. A Mentor Consultation Record/Reflections template is provided on Canvas.

GRADING CRITERIA RUBRIC AND CONVERSION

The instructor will determine grades for the course assignments and assessments through the use of the assignment criteria and assessment rubrics outlined in this syllabus. Rubrics may be found on the next page. **In no case should materials be those submitted for another course.** A grade of Incomplete (I) will not be given except in extremely unusual cases. The point system may be revised if necessary to accommodate unexpected changes in the course schedule. The instructor reserves the right to amend the syllabus at any time.

Summary of Assignments:

- Attendance and Participation – 20 Points
- Legal Brief Assignment – 20 Points
- Interview Assignment – 20 Points
- Freedom Forum Assignment – 10 Points
- Final Exam – 20 Points
- Mentor Reflections - 10 Points

POSTING OF GRADES

Grades will be posted using the Grade Center tool on the course Canvas site. These grades can be viewed throughout the semester and are intended to help you monitor your standing in the course. The grades posted in the Canvas grade book are the unofficial grades. The official grade is at the discretion of the instructor. Official final grades are posted through Banner and the registrar's office.

Course Calendar

Date	Activity	Assignments and Activities	Due Date
Week 1 (6/1-6/5)	268 Training including CR items	Dr. Lori Einfalt leading training	Class on June 4th
Week 2 (6/6-6/12)	Continued work on 268 materials <ul style="list-style-type: none"> · Four Primary Sources of Law · How to Find and Read a Court Case · Review Constitutions 		
Week 3 (6/13-6/19)	<ul style="list-style-type: none"> · Judicial System of Structure: state and federal · TEA/Commissioner of Ed./SBOE/Legislature · Parents Rights · Attendance, Instructional Program, and Extracurricular Activities and UIL 	School Law Text, Chap 1, 2	
Week 4 (6/20-6/26)	<ul style="list-style-type: none"> · Federal Legislation · Discipline of Students with Disabilities · Section 504 of the Rehabilitation Act of 1973 	School Law Text Chap 3 <u>Due: First Amendment Center Assignment</u>	Class on June 25th
Week 5 (6/27-7/3)	<ul style="list-style-type: none"> · The Employment Relationship and Personnel Issues · Contracts and TCNRA · Handling of Grievances, Investigations, Documentation · Ethics – Code of Conduct, Compare and Contrast Activity · Expression and Association Rights and Religion in Schools · Constitutionally Protected Rights: <u>Educator's</u> · Freedom of Religion, Speech, and Association 	School Law Text Chap 4, 5	July 3
Week 6 (7/4-7/10)	<ul style="list-style-type: none"> · Equal Access · Legal Liability · Sexual Harassment · Federal Civil Rights Liability · Privacy Rights · Parental Rights 	School Law Text Chap 6 <u>Due: Interview Assignment</u>	Class on July 9th
Week 7	Expression and Association Rights and Religion in Schools	School Law Text	July 18

(7/11-7/17)	<p>Constitutionally Protected Rights: <u>Student's</u></p> <ul style="list-style-type: none"> · Student Speech · Student Search · Student Discipline (Family Code, Penal Code, Due Process) · Special Populations (Aliens, SPED, LEP, ADA) · University Interscholastic League (UIL) <p>Contemporary Issues Related to Religion in School Student Discipline and Privacy Issues</p>	<p>Chap 7</p> <p><u>Canvas Discussion Board #1</u></p>	<p>Virtual Class (TBD)</p>
<p>Week 8 (7/18-7/24)</p>	<ul style="list-style-type: none"> · Chapter 37 Overview (Family Code, Penal Code) · Special Populations (Aliens, SPED, LEP, ADA) · University Interscholastic League (UIL) · Educator and Student Privacy Rights <p>Legal Liability and School Operations</p>	<p>School Law Text</p> <p>Chap 8-9</p> <p><u>Due: Legal Brief Court Case</u></p>	<p>Class on July 23rd</p>
<p>Week 9 (7/25-7/31)</p>	<ul style="list-style-type: none"> · Home Schooling · School Boards · Academic Practices · Open Meetings/Public Information Law · Budget and Finance · Segregation · Site-Based Decision Making · Copyright Law 	<p>School Law Text</p> <p>Chap 10</p> <p><u>Canvas Discussion Board #2</u></p> <p><u>Due: Final Exam</u></p>	<p>Last class on August 6th</p>
<p>Week 10 (8/1-8/7)</p>	<p>Final Exam and Mentor Reflection</p>	<p>-</p> <p><u>Due: Mentor Reflection</u></p>	

Texas Code of Ethics and Standard Practices for Professional Educators

(Effective Sept. 1, 2002)

Statement of purpose

The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty. The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community. The enforceable standards follow.

1. Professional ethical conduct, practices and performance

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1.1 The educator shall not knowingly engage in deceptive practices regarding official policies of the school district or educational institution.

1.2 The educator shall not knowingly misappropriate, divert or use monies, personnel, property or equipment committed to his or her charge for personal gain or advantage.

1.3 The educator shall not submit fraudulent requests for reimbursement, expenses or pay.

1.4 The educator shall not use institutional or professional privileges for personal or partisan advantage.

1.5 The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered openly from students, parents, or other such persons or organizations in recognition or appreciation of service.

1.6 The educator shall not falsify records, or direct or coerce others to do so.

1.7 The educator shall comply with state regulations, written local school board policies and other applicable state and federal laws.

1.8 The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.

1. Ethical conduct toward professional colleagues

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2.1 The educator shall not reveal confidential health or personal information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.

2.2 The educator shall not harm others by knowingly making false statements about a colleague or the school system.

2.3 The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.

2.4 The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.

2.5 The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, sex, disability, or family status.

2.6 The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.

2.7 The educator shall not retaliate against any individual who has filed a complaint with the SBEC under this chapter.

1. Ethical conduct toward students

3.1 The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.

3.2 The educator shall not knowingly treat a student in a manner that adversely affects the student's learning, physical health, mental health, or safety.

3.3 The educator shall not deliberately or knowingly misrepresent facts regarding a student

3.4 The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, sex, disability, national origin, religion, or family status.

3.5 The educator shall not engage in physical mistreatment of a student.

3.6 The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student.

3.7 The educator shall not furnish alcohol or illegal/unauthorized drugs to any student or knowingly allow any student to consume alcohol or illegal/unauthorized drugs in the presence of the educator.

CODE OF ETHICS (REVISED)

AND STANDARD PRACTICES FOR TEXAS EDUCATORS

Effective 11/22/10

ENFORCEABLE STANDARDS

1. Professional Ethical Conduct, Practices and Performance.

Standard 1.1. The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the school district, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.

Standard 1.2. The educator shall not knowingly misappropriate, divert or use monies, personnel, property or equipment committed to his or her charge for personal gain or advantage.

Standard 1.3. The educator shall not submit fraudulent requests for reimbursement, expenses or pay.

Standard 1.4. The educator shall not use institutional or professional privileges for personal or partisan advantage.

Standard 1.5. The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students or other persons or organizations in recognition or appreciation of service.

Standard 1.6. The educator shall not falsify records, or direct or coerce others to do so.

Standard 1.7. The educator shall comply with state regulations, written local school board policies and other state and federal laws.

Standard 1.8. The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.

Standard 1.9. The educator shall not make threats of violence against school district employees, school board members, students or parents of students.

Standard 1.10. The educator shall be of good moral character and demonstrate that he or she is worthy to instruct or supervise the youth of this state.

Standard 1.11. The educator shall not intentionally or knowingly misrepresent the circumstances of his or her prior employment, criminal history, and/or disciplinary record when applying for subsequent employment.

Standard 1.12. The educator shall refrain from the illegal use or distribution of controlled substances and/or abuse of prescription drugs and toxic inhalants.

Standard 1.13. The educator shall not consume alcoholic beverages on school property or during school activities when students are present.

1. Ethical Conduct toward Professional Colleagues.

Standard 2.1. The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.

Standard 2.2. The educator shall not harm others by knowingly or recklessly making false statements about a colleague or the school system.

Standard 2.3. The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.

Standard 2.4. The educator shall not interfere with a colleague's exercise of political, professional or citizenship rights and responsibilities.

Standard 2.5. The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.

Standard 2.6. The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.

Standard 2.7. The educator shall not retaliate against any individual who has filed a complaint with the SBEC or who provides information for a disciplinary investigation or proceeding under this chapter.

1. Ethical Conduct toward Students.

Standard 3.1. The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.

Standard 3.2. The educator shall not intentionally, knowingly, recklessly, or negligently treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health or safety of the student or minor.

Standard 3.3. The educator shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.

Standard 3.4. The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.

Standard 3.5. The educator shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.

Standard 3.6. The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student or minor.

Standard 3.7. The educator shall not furnish alcohol or illegal / unauthorized drugs to any person under 21 years of age or knowingly allow any person under 21 years of age to consume alcohol or illegal / unauthorized drugs in the presence of the educator.

Standard 3.8. The educator shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.

Standard 3.9. The educator shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, email, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:

- (i) The nature, purpose, timing, and amount of the communication;
- (ii) The subject matter of the communication;
- (iii) Whether the communication was made openly or the educator attempted to conceal the communication;
- (iv) Whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
- (v) Whether the communication was sexually explicit; and

(vi) Whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

The National Education Association (NEA) Code of Ethics for the Education Profession

(Adopted by the 1975 Representative Assembly)

Preamble

The educator, believing in the worth and dignity of each human being, recognized the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunities for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents, and of the members of the community provides the incentive to attain and maintain the highest possible degree of conduct. The Code of ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

The remedies specified by the NEA and/or its affiliates for the violation of any provision of this Code shall be exclusive and no such provision shall be enforceable in any form other than the one specifically designated by the NEA or its affiliates.

Principle I – Commitment to the Student

The educator strives to help each student reach his or her potential as a worthy and effective member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulations of worthy goals. In fulfillment of the obligation to the student, the educator:

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student's access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
5. Shall not intentionally expose the student to embarrassment.
6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation unfairly.
7. Exclude any student from participation in any program,
8. Deny benefits to any student,
9. Grant any advantage to any student.
10. Shall not use professional relationships with students to private advantage.
11. Shall not disclose information about students obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

Principle II – Commitment to the Profession

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service. In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgement, to achieve conditions that attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons. In fulfillment of the obligation to the profession, the educator:

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.
2. Shall not misrepresent his/her professional qualifications.
3. Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.
5. Shall not assist a non-educator in the unauthorized practice of teaching.
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.
7. Shall not knowingly make false or malicious statements about a colleague.
8. Shall not accept any gratuity, gift, or favor that might impair or appear to impair to influence professional decisions or actions.

American Association of School Administrators (AASA) Code of Ethics

(Approved by the 1981 Executive Committee)

An educational administrator's professional behavior must conform to an ethical code. The code must be idealistic and at the same time practical, so that it can apply reasonably to all educational administrators. The educator acknowledges that the schools belong to the public they serve for the purpose of providing educational opportunities to all. However the administrator assumes the responsibility for providing professional leadership in the school and the community. This responsibility requires the administrator to maintain standards of exemplary professional conduct. It must be recognized that the administrator's actions will be viewed and appraised by the community, professional associates, and students. To these ends, the administrator subscribes to the following statements of standards.

The educational administrator:

1. Makes the well being of students the fundamental value of all decision-making and actions.
2. Fulfills professional responsibilities with honesty and integrity.
3. Supports the principle of due process and protects the civil rights and human rights of all individuals.
4. Obeys local, state, and national laws and does not knowingly join or support organizations that advocate, directly or indirectly, the overthrow of the government.
5. Implements the governing board of education's policies and administrative rules and regulations.
6. Pursues appropriate measures to correct those laws, policies, and regulations that are not consistent with sound educational goals.

7. Avoids using positions for personal gain through political, social, religious, economic, or other influence.
8. Accepts academic degrees or professional certification only from duly accredited institutions.
9. Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.
10. Honors all contracts until fulfillment, release, or dissolution mutually agreed upon by all parties to the contract.

NOTE: The AASA originated as an organization for superintendents of schools. It now invites any person in any school administrative or supervisory position to become a member and participate.

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Interview Guidelines for Interview Assignment

I. Who to interview

- A currently employed school person who is involved in either administration or legal issues.
- Interview someone who does or does not work for your own school district.
- Do not interview anyone related to you by blood or marriage.
- The length of the interview session should be about one average class period (45-55 minutes).

II Topics: Inquire about things related to legal issues at the campus/district level, such as:

- What is the school's philosophy concerning legal issues, e.g., who should principals call if there is a legal question?
- What authors or books have provided the basis for the school's legal policies?
- Does the district subscribe to the TASB Policy Service?
- How much autonomy does each building principle have regarding legal matters?
- See the 'Sample Interview Questions' on the next page – you will be able to ask a maximum of 4-6 questions during your interview time, so please select and prioritize questions that are of interest to you.

NOTE: Be sure to pay attention to such things as body language, voice level, etc. These observations can often tip you off regarding a person's underlying feelings, regardless of the words used.

1. Interview in person to the extent possible. This technique is much more revealing than conducting the interview by phone or using e-mail as all the non-verbal communication is missed.

1. The interview report:

- Rank your questions and ask the most important first. (You might run out of time.)
- Use abbreviations to record all the information and take detailed notes.
- When writing your report, you may choose not to use any real names.
- Transcribe the questions and answers as accurately as possible to not lose any points made.

- The report can be done in one of two ways: (a.) a summary of what was heard in a narrative format

followed by your reaction to what was said, or (b.) an exact word-for-word transcript of the questions and the answers, followed by your reaction to what was said.

1. Schedule this interview as soon as the assignment is reviewed in the first class because the time to meet with your person is out of your control – therefore, let this be first on your task list for the next day.

Sample Interview Questions for Graduate School Law Class

1. What is your role in the district? Who do you report to?
2. Are you paid district staff or on retainer? If on retainer, what does that mean/entail?
3. How much autonomy does each campus principal have? Do the principals have a direct line to you?
4. What issues, besides funding, are boards most concerned about in which they seek legal advice?
5. What is your background? Training? Qualifications?
6. If you are certified/licensed out-of-state, what must you do to be bar certified in Texas?
7. What made you want to go into school law? Do you specialize in a certain area?
8. What are some of the issues that you must deal with?
9. Where does the district stop representing a teacher and where does the professional organization pick up responsibility?
10. What are some more day-to-day, mundane decisions you help the district make?
11. What law would you change, amend, or revoke to benefit our schools? Is there any law in particular that hinders us?
12. What area of school law are you most comfortable with?
13. What is the one thing you wish people knew about what you do?
14. Do you do most of your own research or do you have clerks?
15. What is the most difficult part of your role?
16. What cases do you normally see?
17. What do you do when there is an issue arises in an area that you are not as familiar with?
18. Where does a teacher's professional liability cap?

The **Hierarchy of Legal Authority** concerning Public Education

FLOWCHART

All legal authority in America is rooted in the U. S. Constitution.

Since the Constitution is silent about education, the Tenth Amendment rules.

The Tenth Amendment says that all powers not delegated to the federal government are reserved to the states.

Therefore, each state government has authority over education in that state.

The State of Texas has authority over education in Texas.

Two main organizations controlling education are the Texas Education Agency and the State Board of Education.

The state delegates some authority for the daily operations of schools.

The state has the power to disband a local board that does not follow state requirements.

Local boards of education have some authority over the daily operations of public schools.

The jurisdiction of the local boards is restricted by the state.

Each local board of education hires a Superintendent of Schools and delegates authority to this Superintendent.

The authority of the Superintendent is restricted by the local board of education.

The Superintendent recommends principals to hire to the local board of education.

These hires are subject to the approval of the local board of education.

The authority of the principals is restricted by the Superintendent.

Principals recommend teachers to hire to Superintendent.

These hires are subject to the approval of the local board of education.

The authority of teachers is restricted by the principal.

The First Ten Amendments to the Constitution of the United States

The Bill of Rights

Declared in force December 15, 1791

I Congress shall make no laws respecting an establishment of religion, or prohibiting the free exercise thereof;
or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and
to petition the government for a redress of grievances.

1. A well-regulated militia being necessary to the security of a free State, the right of the people to keep and
bear arms shall not be infringed.

1. No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time
of war but in a manner to be prescribed by law.

1. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable
searches and seizures shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation,
and particularly describing the place to be searched and the persons or things to be seized.

1. No person shall be held to answer for a capital or other infamous crime unless on a presentment or indictment of a Grand
Jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public

danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

1. In all criminal prosecutions the accused shall enjoy the right of a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which districts shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

1. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise reexamined in any court of the United States than according to the rules of the common law.

1. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

1. The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.

1. The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

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Selected Annotated Bibliography of Internet Resources for School Law

(Revised 6-4-22)

[html://www.findlaw.com](http://www.findlaw.com) (legal resource center)

<http://educationlaw.org> (education law association, non-profit)

<http://www.uiltexas.org/> (UIL information)

<http://www.archives.gov/index.html> (US Constitution)

***<http://wwwsecure.law.cornell.edu/topics/education.html> (no dot after www)**

<http://www.supremecourt.gov/> (to stay current with SC)

<http://www.americanbar.org/aba.html> (American Bar Association)

<http://supct.law.cornell.edu/supct/> (SC collection)

*<http://www.uscplus.com/> (SC Database of Opinions)

<http://www.ca5.uscourts.gov/> (US 5th Circuit Home)

<http://www.ed.gov/> (US Dept. of Education Home)

[html://texasisd.com](http://www.texasisd.com) (premier site for school administrators in Texas)

<http://www.tea.state.tx.us/commissioner/> (TEA Commissioner of Education)

<http://www.texasbar.com/> (State Bar of Texas Home)

<http://www.oag.state.tx.us/> (Texas Attorney General Home)

<http://thomas.loc.gov> (US Library of Congress Home)

<http://www.freedomforum.org/> (First Amendment Center)

<http://jurist.law.pitt.edu> (Jurist bulletin on school law)

<http://www.law.cornell.edu> (Cornell Law School Home)

<http://oz.uc.edu/lawsig/> (legal resources from AERA)

<http://www.aclj.org/Default.aspx> (American Center for Law & Justice)

<http://www.aclj.org/ussc/newdow/USvNewdow.pdf> (Latest case to be argued at SC level)

[html://www.nsba.org/cosa/whatsnew/lower-courts.htm](http://www.nsba.org/cosa/whatsnew/lower-courts.htm) (National School Board Association site)

<http://www.foift.org/> (operated by the Freedom of Information Foundation of Texas)

<http://www.wrightslaw.com>

<http://www.helpforschools.com>

TECHNOLOGY REQUIREMENTS AND SUPPORT

Technology Requirements

This course will use the A&M-Central Texas Instructure Canvas learning management system.

Log on to A&M-Central Texas Canvas [<https://tamuct.instructure.com>].

Username: Your MyCT username (xx123 or everything before the “@” in your MyCT
e-mail address)

Password: Your MyCT password

Canvas Support

Use the Canvas Help link, located at the bottom of the left-hand menu, for issues with Canvas. You can select “Chat with Canvas Support,” submit a support request through “Report a Problem,” or call the Canvas Support Line: 1-844-757-0953.

For issues related to course content and requirements, contact your instructor.

Other Technology Support

For log-in problems, students should contact the Help Desk Central. 24 hours a day, 7 days a week:

E-mail: helpdesk@tamu.edu

Phone: (254) 519-5466

Web Chat: <http://hdc.tamu.edu>

DROP POLICY

If you discover that you need to drop this class, you must complete a Drop Request Form [https://www.tamuct.edu/registrar/docs/Drop_Request_Form.pdf].

Professors cannot drop students; this is always the responsibility of the student. The Registrar’s Office will provide a deadline on the Academic Calendar for which the form must be completed, signed, and returned. Once you return the signed form to the Registrar’s Office, you must go into Warrior Web and confirm that you are no longer enrolled. If you still show as enrolled, FOLLOW-UP with the Registrar’s Office immediately. You are to attend class until the procedure is complete to avoid a penalty for absence. Should you miss the drop deadline or fail to follow the procedure, you will receive an F in the course, which may affect your financial aid and/or VA educational benefits.

ACADEMIC INTEGRITY

Texas A&M University-Central Texas values the integrity of the academic enterprise and strives for the highest standards of academic conduct. A&M-Central Texas expects its students, faculty, and staff to support the adherence to high standards of personal and scholarly conduct to preserve the honor and integrity of the creative community. Academic integrity is defined as a commitment to honesty, trust, fairness, respect, and responsibility. Any deviation by students from this expectation may result in a failing grade for the assignment and potentially a failing grade for the course. Academic misconduct is any act that improperly

affects a true and honest evaluation of a student's academic performance and includes, but is not limited to, cheating on an examination or other academic work, plagiarism and improper citation of sources, using another student's work, collusion, and the abuse of resource materials. All academic misconduct concerns will be reported to the university's Office of Student Conduct. Ignorance of the university's standards and expectations is never an excuse to act with a lack of integrity. When in doubt about collaboration, citation, or any issue, please contact your instructor before taking a course of action.

ACADEMIC ACCOMMODATIONS

At Texas A&M University-Central Texas, we value an inclusive learning environment where every student has an equal chance to succeed and has the right to a barrier-free education. The Department of Access and Inclusion is responsible for ensuring that students with a disability receive equal access to the University's programs, services, and activities. If you believe you have a disability requiring reasonable accommodations please contact the Department of Access and Inclusion at (254) 501-5831. Any information you provide is private and confidential and will be treated as such.

For more information please visit our Access & Inclusion webpage [<https://www.tamuct.edu/student-affairs/access-inclusion.html>].

Texas A&M University-Central Texas supports students who are pregnant and/or parenting. In accordance with the requirements of Title IX and guidance from the US Department of Education's Office of Civil Rights, the Dean of Student Affairs Office can assist students who are pregnant and/or parenting in seeking accommodations related to pregnancy and/or parenting. For more information, please visit <https://www.tamuct.departments/index.php>. Students may also contact the institution's Title IX Coordinator. If you would like to read more about these requirements and guidelines online, please visit the website [<http://www2.ed.gov/about/offices/list/ocr/docs/pregnancy.pdf>].

Title IX of the Education Amendments Act of 1972 prohibits discrimination on the basis of sex and gender—including pregnancy, parenting, and all related conditions. A&M-Central Texas is able to provide flexible and individualized reasonable accommodation to pregnant and parenting students. All pregnant and parenting students should contact the Division of Student Affairs at 254-501-5909 to seek out assistance. Students may also contact the University's Title IX Coordinator.

TUTORING

Tutoring is available to all A&M-Central Texas students, both on-campus and online. On-campus subjects tutored include Accounting, Advanced Math, Biology, Finance, Statistics, Mathematics, and Study Skills. Tutors are available at the Tutoring Center in Warrior Hall, Suite 111.

If you have a question regarding tutor schedules, need to schedule a tutoring session, are interested in becoming a tutor, or have any other questions, contact Academic Support Programs at 254-519-5796, or by emailing Dr. DeEadra Albert-Green at deeadra.albertgreen@tamuct.edu.

Chat live with a tutor 24/7 for almost any subject on your computer! Tutor.com is an online tutoring platform that enables A&M-Central Texas students to log in and receive FREE online tutoring and writing support. This tool provides tutoring in over forty subject areas. Access Tutor.com through Canvas.

UNIVERSITY WRITING CENTER

Located in 416 Warrior Hall, the University Writing Center (UWC) at Texas A&M University-Central Texas is a free workspace open to all TAMUCT students from 10 am-5 pm Monday-Thursday with satellite hours in the University Library Monday-Thursday from 6:00-9:00 pm. Students may arrange a one-on-one session with a trained and experienced writing tutor by visiting the UWC during normal operating hours (both half-hour and hour sessions are available) or by making an appointment via WOnline at [<https://tamuct.mywconline.com/>]. In addition, you can email Dr. Bruce Bowles Jr. at bruce.bowles@tamuct.edu to schedule an online tutoring session. Tutors are prepared to help writers of all levels and abilities at any stage of the writing process.

While tutors will not write, edit, or grade papers, they will assist students in developing more effective composing practices. By providing a practice audience for students' ideas and writing, our tutors highlight the ways in which they read and interpret students' texts, offering guidance and support throughout the various stages of the writing process. In addition, students may work independently in the UWC by checking out a laptop that runs the Microsoft Office suite and connects to WIFI, or by consulting our resources on writing, including all of the relevant style guides. Whether you need help brainstorming ideas, organizing an essay, proofreading, understanding proper citation practices, or just want a quiet place to work, the University Writing Center is here to help!

If you have any questions about the University Writing Center, please do not hesitate to contact Dr. Bruce Bowles Jr. at bruce.bowles@tamuct.edu.

UNIVERSITY LIBRARY

The University Library provides many services in support of research across campus and at a distance. We offer over 200 electronic databases containing approximately 250,000 eBooks and 82,000 journals, in addition to the 72,000 items in our print collection, which can be mailed to students who live more than 50 miles from campus. Research guides for each subject taught at A&M-Central Texas are available through our website to help students navigate these resources. On-campus, the library offers technology including cameras, laptops, microphones, webcams, and digital sound recorders.

Research assistance from a librarian is also available twenty-four hours a day through our online chat service, and at the reference desk when the library is open. Research sessions can be scheduled for more comprehensive assistance and may take place on Skype or in-person at the library. Assistance may cover many topics, including how to find articles in peer-reviewed journals, how to cite resources, and how to piece together research for written assignments.

Our 27,000-square-foot facility on the A&M-Central Texas main campus includes student lounges, private study rooms, group work spaces, computer labs, family areas suitable for all ages, and many other features. Services such as interlibrary loan, TexShare, binding, and laminating are available. The library frequently offers workshops, tours, readings, and other events. For more information, please visit our Library website [<https://tamuct.libguides.com/>].

INSTRUCTOR POLICIES

Student Created Content: All content submitted to the course for credit must be the student's own creation. Students must write or paraphrase and properly cite all content submitted to discussion boards, wikis, reflections, grant projects, and essays. Students should paraphrase all information and provide the appropriate citations. Be sure to cite correctly any direct quotes.

APA Style: All text and citations submitted for course credit must follow the guidelines of the *Publication Manual of the American Psychological Association (6th ed.)*.

OPERATION OF ONLINE INSTRUCTION

Carefully examine the Course Calendar. Students should have ALL assignments submitted before the deadline. Students should begin each assignment in a timely way to be able to seek the professor's assistance and submit accurate assignments well before the deadline.

A NOTE ABOUT SEXUAL VIOLENCE AT A&M-CENTRAL TEXAS

Sexual violence is a serious safety, social justice, and public health issue. The university offers support for anyone struggling with these issues. University faculty are mandated reporters, so if someone discloses that they were sexually assaulted (or a victim of Domestic/Dating Violence or Stalking) while a student at TAMUCT, faculty members are required to inform the Title IX Office. If you want to discuss any of these issues confidentially, you can do so through Student Counseling (254-501-5955) located on the second floor of Warrior Hall (207L).

Sexual violence can occur on our campus because predators often feel emboldened, and victims often feel silenced or shamed. It is incumbent on ALL of us to find ways to actively create environments that tell predators we don't agree with their behaviors and tell survivors we will support them. Your actions matter. Don't be a bystander; be an agent of change. For additional information on campus policy and resources visit the Title IX webpage [<https://www.tamuct.edu/departments/compliance/titleix.php>].

Copyright Notice.

Students should assume that all course material is copyrighted by the respective author(s). Reproduction of course material is prohibited without consent by the author and/or course instructor. Violation of copyright is against the law and Texas A&M University-Central Texas' Code of Academic Honesty. All alleged violations will be reported to the Office of Student Conduct.

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