

**Legal and Ethical Issues**

**EDLD 7570**

**3 Credit Hours**

**Spring 2017**

**Auburn Master’s Cohort**

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**Course Description**

This course focuses on addressing the legal and ethical issues of public elementary and secondary education in the United States. This course will prepare school leaders for understanding the legal and ethical responsibilities of Alabama public schools using action research and components of a comprehensive policy and legal knowledge necessary to effectively lead a school.

**Course Objectives**

Course Objectives are based upon the standards of knowledge (K) and ability (A) (290-3-3-.48)(2)(a) through (2)(h) of the Alabama State Department of Education Instructional Leadership Standards.

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| Knowledge (K) or Ability (A); OBJECTIVE;  Alabama Instructional Leadership Standard | How the objectives will be measured. |
| a. (K, A) understand, appreciate, and model appropriate ethics, value systems, and moral leadership with particular attention paid to issues of diversity(2)(h)l(i)-(iv); (2)(h)3 | Case Scenarios; Law vs Ethics Paper |
| b. (K) knowledge of federal sources of law such as the U.S. Constitution, Bill of Rights, the Due Process Amendments; federal statutes and case law, and the Alabama Educator Code of Ethics(2)(h)1(i-v) | Case Scenarios; Legal Lessons |
| c. (K, A) understand personnel selection, retention, and dismissal(2)(d)2i;(2)(a)1(v);(2)(c)1(i-iv) | Case Scenarios; |
| d. (K) analyze student rights under state and federal laws and court decisions(2)(h)1(i, ii, iii, iv, v) | Case Scenarios; Legal Lessons |
| e. (K, A) develop and administer policies that provide a safe school environment(2)(g)l(i);(2)(h)3 | Case Scenarios; Legal Lessons |
| f. (K, A) demonstrate the ability to advocate for policies and programs that promote equitable learning opportunities for all students(2)(h)1(i);(2)(h)3 | Case Scenarios; Legal Lessons |
| g. (K, A) analyze law and educational issues specific to the Alabama K-12 environment(2)(h)1(v);(2)(h)3 | Case Scenarios; |
| h. (K) demonstrate the ability to use technology in reviewing the literature and conducting research concerning ethical and legal subject matter(2)(h)2 | Case Scenarios; Law vs Ethics Paper |
| i. (K, A) demonstrate reflective practices expected of administrators concerning discussions of legal issues, cases, personal beliefs, personal and professional ethics(2)(h)1(iv);(2)(h)3 | Case Scenarios; Law vs Ethics Paper |

**Required Texts**

Alabama Superintendents Academy (2013). *School Law Training Manual.* Retrieved from <http://education.ua.edu/wp-content/uploads/2014/01/School-Law-Training-Manual.pdf>

**Evaluation**

Measurement of student growth will be assessed using five activities for a total of 500 points.

1. Participation in weekly class discussions and activities (100 points)
2. The Relationship between Law and Ethics Paper (100 points)
3. Creating Legal Lessons as Professional Development (100 points)
4. Case Scenarios (200 points)

**Description of Course Activities to be Evaluated**

1. **Participation in class**. You are expected to attend each class session with the required reading completed before class and prepared to discuss the topic of the evening. During class you are expected to be an active contributor to the discussions and activities in a constructive professional manner.
2. **Law vs Ethics Paper.**

In class we will spend some time drafting your personal ethics statement and progress through a structured activity to reinforce your understanding of ethics and the law. On your own, you will write a comparative paper comparing and contrasting the difference between the law and ethics. Is legal knowledge enough? Is ethic knowledge enough?

*Rationale:* Ethics and laws are necessary to provide guidance and stability to people and society as a whole. Ethical leadership in education is essential in order for principals and teachers to run effective schools. Principals must show ethical judgment in dealing with teachers as well as students. Teachers hold the responsibility of ethical judgment, not just to ensure their well-being, but also to act as an example to their students. Students learn many of their ethical values at school. It is important to understand the difference between ethics and the law.

**Paper Rubric:**

**Accuracy & Clarity of Writing (\_\_\_\_/20 points)** The paper reads smoothly from beginning to end with appropriate transitions between points. The paper does not contain grammatical & spelling mistakes. It is clear that the writer proofread! The paper is written in a concise and professional, scholarly, and non-conversational manner. It is evident that the writer organized his/her thoughts prior to writing. For example, the author likely outlined the main sections of the paper prior to writing. The writer used topic sentences and organizational statements.

**Review and Summary of the Literature (\_\_\_\_/20 points)** The paper provides a comprehensive and organized overview of the literature that describes the importance of understanding legal knowledge and ethical knowledge.

**Differences (\_\_\_\_/40points)** The paper appropriately defines and compares the similarities and differences between law and ethics, provides examples, and evidence of the importance for school leaders.

**References (\_\_\_\_/20 points)** The paper uses APA citation form (e.g., quotes are accurately quoted and paraphrased ideas are properly cited).

**Total Points: /100**

1. **Legal Lessons**

You will select a legal topic from a list provided in class, read materials related to your topic (provided in class). In the class assigned to your topic, you will present your lesson to the class.

*Rationale:* As a school leader you will be responsible to ensuring your staff understands the legal responsibilities of their roles. Conducting a PD with your teachers will help ensure you and they are up to date on the latest laws and codes of ethics. This may be especially important for veteran teaching staffs.

**Presentation Rubric:**

**Engagement (\_\_\_\_/20 points)** The presenter made special efforts to ensure the presentation is engaging and informative.

**Basic Elements of a PD (\_\_\_\_/20points)** The presentation includes some type of activator/motivator activity, provide a rationale and the objectives for the PD

**The Law (\_\_\_/40 points)** The presentation adequately teaches the law and how the law should be applied.

**Assessment (\_\_\_\_/20 points)** The presentation assesses the learning and understanding level of the participants.

**Total Points: 100**

1. **Case Scenarios**.

This assignment consists of a series of case scenarios, which will be distributed in a separate document. Each student is to respond to each scenario with the appropriate response and legal authority. Generally, the legal authority is found in Alabama Legislature’s Code of Alabama 1975 Title 16: Education found <http://alisondb.legislature.state.al.us/alison/codeofalabama/1975/coatoc.htm>. Your answers should be brief and to the point (1-page). Each write up should include 1) State your position, 2) Discuss your constitutional/statutory arguments, 3) Discuss which cases or codes or rules of law support your argument, and 4) discuss what policy arguments (non-legal arguments) support your position (consider ethical arguments here too). These are pass/fail responses. In the unlikely event you do not provide an accurate response, you will have the opportunity to revise up until the last week of class. There will be a place to upload your responses on Canvas and receive feedback. All written work must be stylistically correct and cited using APA style of writing.

*Rationale:* As a school leader, you must be familiar with the statutes guiding your decision-making. Using a scenario-based form of exploration of these statutes will provide the exposure to these legal mandates in a real-life setting.

**Rubric:**

The compilation of scenarios will be pass/fail. They are to be completed before the last week of class in order to have the opportunity for revision. **(200 points)**

**Grading Scale**

**A = 450 – 500 points**

**B = 400 – 449 points**

**C = 350 – 399 points**

**D = 300 – 349 points**

**F = 299 points and below**

This calendar outlines important due dates and readings. Note: all weeks will have activities and discussions that are considered participation grades.

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| --- | --- | --- |
|  | **DATE** | **READINGS** |
| Week 1 | Jan 17 | **FACE to FACE**  Topic: Legal Literacy and Legal Organization |
| Week 2 | Jan 24 | Topic: Tort Liability and School District Liability |
| Week 3 | Jan 31 | **FACE to FACE**  Topic: Law vs Ethics |
| Week 4 | Feb. 7 | Topic: Certifications, Contract, and Tenure, Collective Bargaining and Due Process |
| Week 5 | Feb 14 | **FACE to FACE**  Topic: Teacher Rights and Freedoms |
| Week 6 | Feb 21 | Topic: Discrimination in Employment |
| Week 7 | Feb 28 | **FACE to FACE**  Topic: Compulsory Schooling and Instructional Programs |
| Week 8 | Mar 7 | Topic: Defamation and Student Records |
| Week 9 | Mar 14 | Spring Break- NO CLASS |
| Week 10 | Mar 21 | **FACE to FACE**  Topic: Church and State |
| Week 11 | Mar 28 | Topic: Desegregation |
| Week 12 | April 4 | **FACE to FACE**  Topic: Student Speech and Expression |
| Week 13 | April 11 | Topic: Search and Seizure |
| Week 14 | April 18 | **FACE to FACE**  Topic**:** Students with Special Needs |
| Week 15 | April 25 | Topic: Student Rights  **CASE SCENARIOS DUE**  **LAW VS ETHICS PAPER DUE** |

**Class Policy Statements**

Attendance: For EDLD 7550, students must meet the assignment deadlines described in the syllabus.

Excused absences: Students are granted excused absences (In an asynchronous distance course, absences may translate into submitting late assignment/s to Canvas). Late assignment submission may be excused for the following reasons: illness of the student or serious illness of a member of the student’s immediate family, the death of a member of the student’s immediate family, trips for student organizations sponsored by an academic unit, trips for university classes, trips for participation in intercollegiate athletic events, subpoena for a court appearance, and religious holidays – as detailed in the [Student Policy eHandbook](http://www.auburn.edu/student_info/student_policies/" \t "_blank) ([www.auburn.edu/studentpolicies](http://www.auburn.edu/studentpolicies" \t "_blank)). Students who wish to have an excused absence (or submit late work) for any other reason must contact the instructor in advance of the absence to request permission. The instructor will weigh the merits of the request and render a decision. When feasible, the student must notify the instructor prior to the occurrence of any excused absences, but in no case shall such notification occur more than one week after the absence. Appropriate documentation for all excused absences is required. Please see the [Student Policy eHandbook](http://www.auburn.edu/student_info/student_policies/" \t "_blank) ([www.auburn.edu/studentpolicies](http://www.auburn.edu/studentpolicies" \t "_blank)) for more information on excused absences.

Make-Up Policy: Arrangement to make up a missed major examination/assignment (e.g., hour exams, mid-term exams, major papers) due to properly authorized excused absences must be initiated by the student within one week of the end of the period of the excused absences(s). Except in unusual circumstances, such as the continued absence of the student or the advent of university holidays, a make-up exam will take place within two weeks of the date that the student initiates arrangements for it. Except in extraordinary circumstance, no make-up exams will be arranged during the last three days before the final exam period begins.

Accommodations: Students who need accommodations are asked to electronically submit their approved accommodations through AU Access and to arrange a meeting during office hours the first week of classes, or as soon as possible if accommodations are needed immediately. If you have a conflict with my office hours, an alternate time can be arranged. To set up this meeting, please contact me by e-mail. If you have not established accommodations through the Office of Accessibility, but need accommodations, make an appointment with the Office of Accessibility, 1228 Haley Center, 844-2096 (V/TT

Academic Honesty Policy: All portions of the Auburn University student academic honesty code (Title XII) found in the [Student Policy eHandbook](http://www.auburn.edu/student_info/student_policies/" \t "_blank) ([www.auburn.edu/studentpolicies](http://www.auburn.edu/studentpolicies" \t "_blank)) will apply to university courses. All academic honesty violations or alleged violations of the SGA Code of Laws will be reported to the Office of the Provost, which will then refer the case to the Academic Honesty Committee.

*Please note:*

* *Copying and/or pasting other individuals’ work and then presenting it as your own (intentional or unintentional) is considered plagiarism and is in direct violation of the Honesty Code. Violations of the Honesty Code may result in a zero for the assignment, a failing grade for the course, suspension and/or expulsion from the university.*
* *I expect you to produce original work for this class. You may not submit work for this class that you have previously completed for a different class. If you have any questions, please see me prior to submitting your assignment. You will receive a zero for work that too strongly resembles another course’s work.*

ALL PAPER WRITING Guidelines:

1. You should follow the APA style of writing (6th edition).
   * Your paper should be double-spaced with 1” margins.
   * Please use an APA-approved, 12 pt. font (e.g., Times New Roman).
   * Include a title page and list your references separately. Your reference page is

not included in the expected page limits. No abstract is needed.

* + Direct quotations should be followed by a page number.
  + It’s better to over-cite than under-cite.
  + Ask if you have questions.

1. Your writing style and tone should be scholarly.
   * You should not use a conversational tone. Avoid rhetorical questions and trite phrases/colloquialisms.
   * Exhibit grammar and spelling appropriate to graduate-level study.
   * Do *not* overuse quotations.
   * Turn your paper in on time.
   * Do not use Wikipedia as a reference.
   * Plagiarism Tutorials: http://library.camden.rutgers.edu/EducationalModule/Plagiarism/ http://library.acadiau.ca/tutorials/plagiarism/

Professionalism: As faculty, staff and students interact in professional settings, they are expected to demonstrate professional behaviors as defined in the College’s conceptual framework. These professional commitments or dispositions are listed below:

* + Engage in responsible and ethical professional practices
  + Contribute to collaborative learning communities
  + Demonstrate a commitment to diversity
  + Model and nurture intellectual vitality
* Model and nurture intellectual vitality

Additionally, the following skills, applications, and dispositions are considered important for Accomplished Educational Leaders (National Board Core Propositions from the National Board for Professional Teaching Standards). We expect students fulfilling the expectations for the Ed.S. and/or AA Certification in Instructional Leadership to utilize the course learning opportunities to practice the following:

SKILLS

* Accomplished educational leaders continuously cultivate their understanding of leadership and the change process to meet high levels of performance.
* Accomplished educational leaders have a clear vision and inspire and engage stakeholders in developing and realizing the mission.
* Accomplished educational leaders manage and leverage systems and processes to achieve desired results.

APPLICATIONS

* Accomplished educational leaders act with a sense of urgency to foster a cohesive culture of learning.
* Accomplished educational leaders are committed to student and adult learners and to their development.
* Accomplished educational leaders drive, facilitate and monitor the teaching and learning process.

DISPOSITIONS

* Accomplished educational leaders model professional, ethical behavior and expect it from others.
* Accomplished educational leaders ensure equitable learning opportunities and high expectations for all.
* Accomplished educational leaders advocate on behalf of their schools, communities and profession.